

P1112US00

Montreal, Canada  
June 6, 2011

To: Examiner Paul Fisher, Fax: no.: 571-270-6097

From: C. Marc Benoit, Agent of record, Phone: 514-658-4844 ext.210

For discussion possibly on June 7, 2011 at 10h30:

- 1- Amendments to claim 1 to overcome 101 rejection. Tying each step to a device;
- 2- Amendments to claim 1 to overcome the 103 rejection. Arguments relating to creating and storing an electronic folder on the vehicular dealer computer platform;
- 3- Amendments to other independent claims similar to those of Claim 1;
- 4- New Claim 44-48.

P1112US00

Montreal, Canada  
June 6, 2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Wilfried Blum et al.  
Serial No.: 10/798,311  
Filing Date: March 12, 2004  
Examiner: FISHER, Paul R.  
Title: Method for Remote Evaluation and Management of Vehicular Parts  
Agent of record: BENOÎT, C. Marc (514) 658-4844, #210

---

**RESPONSE TO NON-FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
U.S.A.

Sir:

This paper is responsive to Non-Final Office Action dated January 5, 2011.

Please consider the following amendments to the claims and remarks.

**AMENDMENTS TO THE CLAIMS**

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

**REMARKS**

Remarks begin on page 9 of this paper.

File no. : P1112US00

Application no. 10/798,311

## CLAIMS

1. (Currently amended) A method embodied on a computer network for remotely evaluating a vehicular part, comprising:

creating, on a vehicular dealer computer platform, an electronic folder for the vehicular part, the electronic folder comprising description information including information relating to a type of said vehicular part;

storing the electronic folder on the vehicular dealer computer platform;  
after the electronic folder is created and stored on the vehicular dealer computer platform, transmitting, by the vehicular dealer computer platform, the electronic folder to the central server;

receiving, by the central server, the electronic folder;  
 automatically routing, by the central server, said electronic folder including said description information to an assessment center computer platform based on the information relating to the type of said vehicular part;

modifying, on said assessment center computer platform, the electronic folder to include a grade for the vehicular part, the electronic folder once modified corresponding to an updated electronic folder;

transmitting, by the assessment center computer platform, the updated electronic folder to the central server;

receiving, by the central server, the updated electronic folder;  
 sending said updated electronic folder by said central server to said vehicular dealer computer platform; displaying said grade, on said vehicular dealer computer platform; and

on said vehicular dealer computer platform, entering a disposition of said vehicular part in the electronic folder, based on said grade, and automatically transmitting by the vehicular dealer computer platform or the central server to an Original Equipment Manufacturer (OEM) a notification of the disposition.

**Deleted:** from a vehicular dealer

**Deleted:** description information regarding said vehicular part in an

**Deleted:** , said description information including information relating to a type of said vehicular part

**Deleted:** from a

**Deleted:** at

**Deleted:** a terminal at

**Deleted:** from said assessment center

**Deleted:** from

**Deleted:** ¶

**Deleted:** at

**Deleted:** at

**Deleted:** determining

**Deleted:** of said assessment

**Deleted:** ; and

**Deleted:** at a remanufacturer, sorting the vehicular part according to the grade ¶

2. (Previously presented) The method as claimed in claim 1, wherein said description information comprises at least one of textual data, numerical data, binary data, scanned documents, digital images, digital audio and video of said vehicular part.

3. (Canceled)

File no. : P1112US00

Application no. 10/798,311

4. (Previously presented) The method as claimed in claim 2, further comprising at least one of the steps of mining data and generating reports for a plurality of vehicular parts and their assessment.

5. (Previously presented) The method as claimed in claim 4, wherein said data and reports are in such a format as to be compatible with internal data management systems of a party receiving said data and reports.

6. (Previously presented) The method as claimed in claim 1, wherein said disposition of said vehicular part comprises at least one of a discarding the vehicular part and determining a warranty settlement for said vehicular part based on said assessment.

7. (Previously presented) The method as claimed in claim 6, wherein said description information comprises at least one of textual data, numerical data, binary data, scanned documents, digital images, digital audio and video of said vehicular part.

8. (Canceled)

9. (Previously presented) The method as claimed in claim 7, further comprising at least one of the steps of mining data and generating reports for a plurality of vehicular parts and their assessment.

10. (Previously presented) The method as claimed in claim 9, wherein said data and reports are in such a format as to be compatible with internal data management systems of a party receiving said data and reports.

11. (Previously presented) The method as claimed in claim 6, further comprising the step of sending said vehicular part to a third party for at least one of repair and recycling.

12. (Previously presented) The method as claimed in claim 11, further comprising at least one of identifying and ordering missing materials required for a remanufacturing of said vehicular part based on said assessment.

13. (Previously presented) The method as claimed in claim 12, further comprising automatically ordering said materials required for remanufacturing of said vehicular

File no. : P1112US00

Application no. 10/798,311

part.

14. (Previously presented) The method as claimed in claim 1, wherein said vehicular dealer comprises an authorized representative of an original equipment manufacturer.

15. (Previously presented) The method as claimed in claim 1, wherein said assessment center comprises at least one of an independent assessing center, an original equipment manufacturer, and a warranty processing center.

16. (Previously presented) The method as claimed in claim 1, further comprising the step of providing access to a party at a third location to said assessment.

17. (Previously presented) The method as claimed in claim 16, wherein said party at said third location accesses said assessment through an Internet web browser.

18. (Previously presented) The method as claimed in claim 16, wherein said party at said third location comprises an original equipment manufacturer.

19. (Previously presented) The method as claimed in claim 18, further comprising producing data and reports for a plurality of vehicular parts and their assessment.

20. (Previously presented) The method as claimed in claim 19, further comprising providing said data and reports in such a format as to be compatible with internal data management systems of a party receiving said data and reports.

21. to 27. (Canceled)

28. (Currently amended) A data center used in a remote evaluation of a vehicular part, said data center comprising:

a computer server communicating remotely with a vehicular dealer computer platform and one or more assessment center computing platforms, said computer server comprising:

input means receiving from said vehicular dealer computing platform an electronic folder having been created and stored on the vehicular dealer computing platform, the electronic folder comprising description information regarding said vehicular part including information relating to a type of said

Deleted: adapted to

Deleted: e

Deleted: adapted to receive

Deleted: said

Deleted: including

Deleted: said

File no. : P1112US00

Application no. 10/798,311

vehicular part;

analyzing means analyzing a content of said electronic folder and determining an appropriate assessment center based on a type of said vehicular part,

**Deleted:** adapted to analyze

**Deleted:** to determine

output means routing said electronic folder comprising description information to said appropriate assessment center computing platform;

**Deleted:** adapted to route

said input means receiving from a terminal of said appropriate assessment center computing platform, a grade for the vehicular part, said electronic folder having been modified by said terminal of said appropriate assessment center computing platform to include said grade; and

**Deleted:** adapted to receive

**Deleted:** at

said output means routing said electronic folder, once modified to include said grade, to the vehicular dealer computing platform, where the grade is used to determine the disposition of the vehicular part and, said output means also routing the electronic folder to a remanufacturer where the grade will be used for sorting the vehicular part.

**Deleted:** adapted to route

**Deleted:** will be

**Deleted:** being

**Deleted:** adapted to route

29. (Previously presented) The data center as claimed in claim 28, wherein said description information comprises at least one of textual data, numerical data, binary data, scanned documents, digital images, digital audio and video of said vehicular part.

30. (Canceled)

31. (Previously presented) The data center as claimed in claim 29, further comprising a server database for storing at least a portion of said description information in said electronic folder.

32. (Previously presented) The data center as claimed in claim 28, wherein said computer server is further adapted to communicate with a third location and said output means further sends said assessment to said third location.

33. (Previously presented) The data center as claimed in claim 28, wherein said computer server is adapted to determine the disposition based on said grade, and wherein the output means outputs the disposition, the disposition comprising at least one of a discarding of the vehicle part and a warranty settlement for said vehicular.

34. (Previously presented) The data center as claimed in claim 33, wherein said

File no. : P1112US00

Application no. 10/798,311

description information comprises at least one of textual data, numerical data, binary data, scanned documents, digital images, digital audio and video of said vehicular part.

35. (Canceled)

36. (Previously presented) The data center as claimed in claim 29, further comprising a server database for storing at least a portion of said description information in said electronic folder.

37. (Previously presented) The data center as claimed in claim 33, wherein said computer server is further adapted to communicate with a third location and said output means further sends said assessment to said third location.

38. (Previously presented) The method as claimed in claim 1, further comprising selecting an assessment center based on the description information.

39. (Previously presented) The method as claimed in claim 1, further comprising printing a shipping label based on a destination identified in the determining of a disposition.

40. (Previously presented) The method as claimed in claim 1, further comprising adding an event-driven status indicator to the electronic folder for tracking the progress of a claim concerning the vehicular part.

41. (Currently amended) A method embodied on a computer network for remotely evaluating a vehicular part, comprising:

inputting, on a vehicular dealer computer platform, description information regarding the vehicular part including information relating to a type of said vehicular part in an electronic folder;  
storing the electronic folder on the vehicular dealer computer platform after the electronic folder is stored and created on the vehicular dealer computer platform, transmitting, by the vehicular dealer computing platform, the electronic folder to the central server;  
receiving and analyzing, by the central server, a content of said electronic folder and selecting an assessment center computer platform based on a type of vehicular part;

Deleted: at

Formatted: Font: 11 pt, Font color: Auto

Formatted: Normal, No bullets or numbering

Deleted: ¶

Formatted: Font: 11 pt, Font color: Auto

Deleted: the

File no. : P1112US00

Application no. 10/798,311

... ~~sending by the central server~~, the electronic folder including the description information to the assessment center;

receiving the electronic folder ~~by the assessment center computer platform~~;

~~modifying the electronic folder to include a grade for the vehicular part on a terminal at the assessment center computer platform~~;

receiving the electronic folder ~~by the vehicular dealer computer platform~~;

displaying, at the vehicular dealer, said grade, disposing of the vehicular part based on the grade for the vehicular part, and automatically transmitting to an Original Equipment Manufacturer (OEM) a notification of the disposition.

~~Deleted: at~~

~~Deleted: at a terminal at the assessment center~~

~~Deleted: at~~

42. (Previously presented) The data center as claimed in claim 28, further comprising validating means for validating contents of said assessment based on a set of pre-defined rules.

43. (Currently amended) A system for a remote evaluation of a vehicular part over a communication network, said system comprising:

a central server;

a first terminal at a vehicular dealer, said first terminal being in a remote communication with said central server, ~~creating and storing an electronic folder locally, and sending, after the creating and storing, to said central server the~~ electronic folder including description information regarding said vehicular part;

~~Deleted: and being adapted to create and send~~

~~Deleted: an~~

a second terminal at one or more assessment centers, said second terminal being in a remote communication with said central server, and ~~receiving said electronic folder from the central server~~, and updating a content of said electronic folder to indicate a grade of said vehicular part;

~~Deleted: being adapted to~~

~~Deleted: e~~

~~Deleted: e~~

a third terminal at a remanufacturer, said third terminal being in a remote communication with said central server, and ~~receiving said electronic folder~~;

~~Deleted: being adapted to~~

~~Deleted: e~~

wherein the central server ~~analyzes the content of the electronic folder~~ received from the first terminal, selects a terminal at an appropriate assessment center based on a type of the vehicular part, ~~automatically routes~~ said electronic folder to said ~~terminal at the~~ appropriate assessment center, and, upon receipt of the updated electronic folder from said ~~terminal at the~~ appropriate assessment center, ~~routes~~ the updated electronic folder to said first terminal and said third terminal for determining a disposition of said vehicular part.

~~Deleted: and output a selected content of said electronic folder~~

~~Deleted: is adapted to~~

~~Deleted: an~~

44. (New) The method as claimed in claim 1, further comprising selecting and placing the electronic folder for transmission in a transmission queue on the



File no. : P1112US00

Application no. 10/798,311

vehicular dealer computer platform.

45. (New) The method as claimed in claim 44, further comprising validating, by the central server, the electronic folder by scanning the electronic folder for missing or incomplete data.

46. (New) The method as claimed in claim 45, further comprising the central server storing a copy of the electronic folder received from the vehicular dealer computing platform, and storing at the central server a copy of the updated electronic folder.

47. (New) The method as claimed in claim 46, further comprising capturing and attaching a digital image of the vehicular part to the electronic folder on the vehicular dealer computing platform.

48. (New) The method as claimed in claim 46, further comprising storing the updated electronic folder by the vehicular dealer computer platform.

File no. : P1112US00

Application no. 10/798,311

## REMARKS

Claims 1, 28 and 41 are amended.

Claims 44-48 are new.

Entry of the amendments is respectfully requested.

### **Rejections under 35 USC 101**

The Office Action rejects claims 1, 2, 4-7, 9-20, and 38-41 under 35 U.S.C. § 101 as not reciting patentable subject matter. More specifically, the Office Action held that because the claims allegedly do not meet the Machine-or-Transformation Test ("The claim should recite the particular machine or apparatus to which it is tied, for example by identifying the machine or apparatus that accomplishes the method steps"), the claims are deemed not to recite patent-eligible subject matter and the burden is passed to Applicants to demonstrate compliance.

Applicants have amended claims 1 and 41 to identify the machine or apparatus that accomplishes each of the method steps.

Applicants respectfully submit that the subject matter recited in claims 1, 2, 4-7, 9-20, and 38-41 now recite patent-eligible subject matter and the request that the rejection be lifted accordingly.

### **Rejections Under 35 USC 103 (a)**

1) Claims 1, 2, 4-7, 9-20, and 38 are rejected as being obvious over Joao, Hormozi, Bell, in view of the newly cited Schick reference (US 2002/0065698).

Applicants amend Claim 1 to add the steps of:

- creating, on a vehicular dealer computer platform, an electronic folder for the vehicular part, the electronic folder comprising description information including information relating to a type of said vehicular part;
- storing the electronic folder on the vehicular dealer computer platform;
- after the electronic folder is stored and created on the vehicular dealer computer platform, transmitting, by the vehicular dealer computing platform, the electronic folder to the central server;
- transmitting, by the assessment center computer platform, the updated

File no. : P1112US00

Application no. 10/798,311

electronic folder to the central server;

Applicants believe that such steps serve to clarify that the electronic folder is a data entity that is transferred between computing platforms of the networks and stored at least on the vehicular dealer computer platform. In order to create an electronic folder, the user does not need to access the central server. This is contrary to the teaching of Joao which specifically states at para [0283]: "At step 201, the user will access the central processing computer 10 via the user computer 20 and enter data and/or information regarding the user and/or the vehicle in question."

The other foregoing rejected claims depend from Claim 1 and thereby include the limitation found therein. The same arguments therefore apply to such claims.

Accordingly, withdrawal of the rejection against claims 1, 2, 4-7, 9-20, and 38 under 35 USC 103(a) is respectfully requested.

2) Claims 28, 29, 31, 32, 36 and 43 are rejected as being obvious by Joao (US2002/00116655A1) in view of the newly cited Schick reference (US 2002/0065698).

Claim 28 is amended to recite similar limitations as those included in claim 1. The same arguments therefore apply and withdrawal of the rejection against claim 28 under 35 USC 103(a) is respectfully requested.

The other foregoing rejected claims depend from Claim 28 and thereby include the limitation found therein. The same arguments therefore apply to such claims.

Withdrawal of the rejections under 35 USC 103(a) against claim 28 and all the claims depending thereon is respectfully requested.

3) Claim 41 has been rejected as being obvious by the combination of Joao and Hormozi further in view of Schick.

Claim 41 is amended to recite similar limitations as those included in claim 1. The same arguments therefore apply and withdrawal of the rejection against claim 41 under 35 USC 103(a) is respectfully requested.

File no. : P1112US00

Application no. 10/798,311

4) Claims 33, 34 and 37 is rejected as being obvious by Joao in view of Schick. The rejection is believed to be overcome by the amendments effected in claim 28 on which claims 33, 34 and 37 depend.

Withdrawal of all the rejections under 35 USC 103(a) is respectfully requested.

**New Claims**

Claims 44-49 are new. Support for these claims may be found at least in paragraphs [0019] to [0036] and Fig. 2 of the application as published. Entry and allowance of this claim is respectfully requested.

In view of the above arguments and amendments, it is respectfully submitted that the application is in good condition for allowance. A notice to this effect is earnestly solicited.

Respectfully,

Wilfried Blum et al.

By:

/C. Marc Benoît/

C. Marc Benoît

(Reg. 50,200)

Agent of Record

Benoît & Côté, s.e.n.c.

Tel: (514) 658-4844, #210

Customer No.: 76753